

March 8, 1976

PRESIDENT: Senator Dworak.

SENATOR DWORAK: Mr. President, colleagues. Just to state this another way, the current definition of social security is based on actual receipt of social security benefits. We're changing that to eligibility for social security benefits. The reason is that a person can collect unemployment insurance 26 weeks, be eligible for social security, and then would come back and draw social security benefits retroactively. So in effect for the same period of time the person has collected both social security and unemployment. The reason is under the current interpretation and the application of social security we use actual receipt. When we use the words "actual receipt" what happens is that even though the person is eligible workmans comp is plugged to ... I mean unemployment comp is plugged to eligibility. What happens is he can go on unemployment, collect unemployment until that runs out, even though he's eligible for social security and then go back, even though he's already collected unemployment comp, then he can go back retroactively and collect his social security. This is contrary ... one of the concepts of social security is to get people off the labor force. This just seems to be contrary, an antithesis to the public intent of social security legislation. I think it's a good amendment. I think it clarifies this one very small situation up. I think it should stay on the bill.

CLERK: Mr. President, motion on the desk.

PRESIDENT: Read the motion.

CLERK: I move to amend the Cavanaugh amendment. On page 5, line 9 strike "for retirement or retainer". On line 10 strike "benefits". Signed, Senator Kelly.

PRESIDENT: Senator Kelly.

SENATOR KELLY: Mr. President, that language on page 5 allows military officers that have retired to receive unemployment compensations even though most of them are receiving very generous benefits under military retirement. I don't see any reason where they would be in a hardship and need unemployment insurance. I move the adoption of the amendment.

PRESIDENT: Senator Cavanaugh.

SENATOR CAVANAUGH: That's an amendment? I don't.... Could you read it again.

CLERK: It says to amend the Cavanaugh amendment. On page 5, line 9 strike "for retirement or retainer". On line 10 strike "benefit".

SENATOR CAVANAUGH: What line?

CLERK: Nine.